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Notice of Allowability	Application No.	Applicant(s)	
	09/760,066 SCHUSTER, KARL-HEINZ		RL-HEINZ
	Examin r	Art Unit	
	Evelyn A. Lester	2873	
The MAILING DATE of this communication All claims being allowable, PROSECUTION ON THE MERI herewith (or previously mailed), a Notice of Allowance (PTO NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATE of the Office or upon petition by the applicant. See 37 CFR	DL-85) or other appropriate commu	this application. If not incl	uded
1.  This communication is responsive to amendment file			
2.  The allowed claim(s) is/are 1-4,7-9,11-21 and 23-44.			
3. The drawings filed on 12 January 2001 are accepted			
4. ☑ Acknowledgment is made of a claim for foreign prio a) ☑ All b) ☐ Some* c) ☐ None of the:  1. ☑ Certified copies of the priority documents 2. ☐ Certified copies of the priority documents	s have been received. s have been received in Application	ı No	
3. Copies of the certified copies of the prior	ity documents have been received	in this national stage appli	cation from the
International Bureau (PCT Rule 17.2(a)).			•
* Certified copies not received:			
Applicant has THREE MONTHS FROM THE "MAILING DANG NOTED HER MAILING DANG NOTES HER MONTH PERIOD IS NOT EXTENDABLE.  5. A SUBSTITUTE OATH OR DECLARATION must be INFORMAL PATENT APPLICATION (DTO 450) when the substitution of the	Submitted. Note the attached EXAM	MINER'S AMENDMENT OF	
WING CHAILET ATENT AFFEIGATION (PTO-152) WING	n gives reason(s) why the oath or o	declaration is deficient.	
6. CORRECTED DRAWINGS (as "replacement sheets"	) must be submitted.		
(a) ☐ including changes required by the Notice of Draft	sperson's Patent Drawing Review	( PTO-948) attached	
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _		***	
<ul><li>(b) ☐ including changes required by the attached Exam Paper No./Mail Date</li></ul>	niner's Amendment / Comment or in	n the Office action of	
Identifying indicia such as the application number (see 37 Ceach sheet. Replacement sheet(s) should be labeled as suc	FR 1.84(c)) should be written on the h in the header according to 37 CFR	drawings in the front (not the first that the first	ne back) of
<ol> <li>DEPOSIT OF and/or INFORMATION about the cattached Examiner's comment regarding REQUIREM</li> </ol>	deposit of BIOLOGICAL MATER	PIAL must be submitted	Note the
Attachment(s)			
1. Notice of References Cited (PTO-892)	5. ☐ Notice of Info	rmal Patent Application (P	ΓΩ-152)
2.  Notice of Draftperson's Patent Drawing Review (PTO-9	6. 🛛 Interview Sun	nmary (PTO-413),	102)
3. Information Disclosure Statements (PTO-1449 or PTO/ Paper No /Mail Date		ail Date mendment/Comment	
4. Examiner's Comment Regarding Requirement for Depo	sit 8 🛭 Examiner's St	atement of Reasons for Al	lowance
of Biological Material	9. 🗌 Other	Cal /	
and the second of the second o		Evelyn A. Lester Primary Examiner	C C
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## Terminal Discl imer

1. The terminal disclaimer filed on 3-30-2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. patent application, serial number 09/847,658, now allowed, has been reviewed and is accepted. The terminal disclaimer has been recorded.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with M. Robert Kestenbaum (reg. No. 20,430) on May 13, 2004.

The application has been amended as follows:

In claim 7, at line 1, the phrase "according to claim 5" was changed to ---according to claim 8---.

# **REASONS FOR ALLOWANCE**

3. The following is an examiner's statement of reasons for allowance:

The prior art does not show or fairly suggest the claimed invention of a projection objective having the claimed structure and claimed limitations, wherein a rejection under 35 USC 102 or 103 would be improper. Please particularly note the combination of

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claimed elements and claimed limitations, including the reasons for allowance given in the office action mailed on 9-30-03, as well as the terminal disclaimer filed on 3-30-2004, with respect to claims 7-10, 19 and 28, specifically. Therefore, in light of the Applicants' arguments and/or amendments, as well as the terminal disclaimer, the claimed invention is considered to be in condition for allowance as being novel and nonobvious over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

## Specification

4. The substitute specification has been received and entered into the application. Though the data table pages filed with the substitute specification were not evident in the application as filed, the original transmittal form filed with the application clearly accounts for the 14 pages of tables. Further, the foreign priority document has the same tables, so the tables were intended to be included in the application. It should be noted that this application was originally filed in paper form, and was subsequently scanned into an image file on the new electronic system, eDan, at the Patent and Trademark Office. This could account for the data tables not evident in the application, as it appears in eDan.

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#### Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evelyn A. Lester whose telephone number is (571) 272-2332. The examiner can normally be reached on M- F, from about 10 am to 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Evelyn A. Lester Primary Examiner Art Unit 2873